

RECEIVED  
CENTRAL FAX CENTER

AUG 07 2006

Appl. No.: 09/709,772  
Amdt. dated: August 7, 2006  
Reply to Office Action of April 7, 2006

**REMARKS**

Upon entry of the instant amendment, claims 1-3, 7 and 8 are pending. It is respectfully submitted that upon consideration of the remarks below, the application is in condition for allowance.

**CLAIM REJECTIONS – 35 U.S.C. § 103**

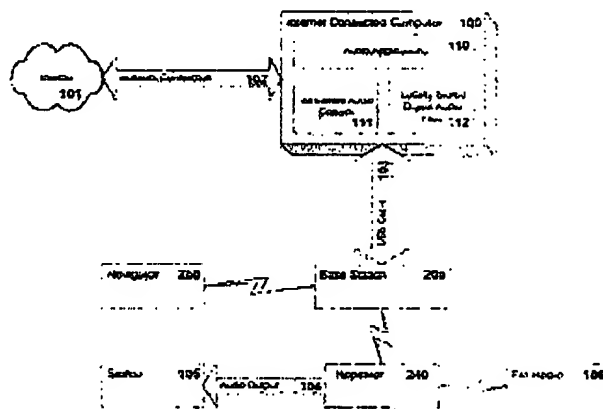
Claims 1-3 and 7 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Janik, U.S. Patent Application Publication No. US 2005/0113946, in view of Margulis, U.S. Patent No. 6,263,503. It is respectfully submitted that the Janik reference is not prior art as discussed below in detail. In particular, the present application is a continuation-in-part of commonly-owned U.S. Patent Application No. 09/649,981, filed on August 29, 2000, which claims the benefit of U.S. Provisional Patent Application No. 60/151,714, filed on August 31, 1999. It is respectfully submitted that the pending claims are supported by the parent application as well as the provisional application. As such, the effective filing date of the present application is August 31 1999. The Janik application claims the benefit of a provisional application no. 60/230,530, filed on September 1, 2000. As such, the earliest effective date for the Janik application is September 1, 2000. Based on the above, it is respectfully submitted that the Janik application is not prior art within the meaning of 35 U.S.C. § 102. It is respectfully submitted that the Margulis patent does not disclose or suggest a system as recited in the claims at issue. In particular, the Margulis patent was cited for disclosing a repeater.

Appl. No.: 09/709,772  
 Amdt. dated: August 7, 2006  
 Reply to Office Action of April 7, 2006

Paragraph 4 of the detailed action states that there is no support in the parent application for a "base station ....remote from the PC". The Applicant respectfully disagrees with the examiner. It is respectfully submitted that the claims are supported by the parent application. In particular, Fig. 1 of the instant application and Fig. 1 of the parent application are repeated below.

Present Application No. 09/709,772

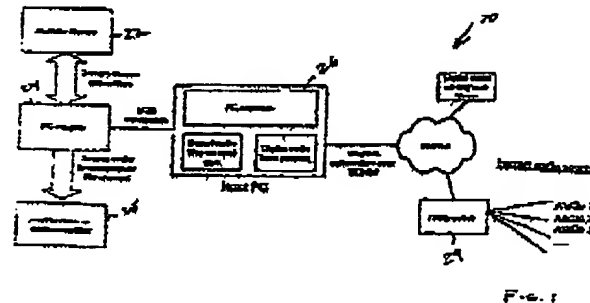
Figure 1



Appl. No.: 09/709,772  
Amdt. dated: August 7, 2006  
Reply to Office Action of April 7, 2006

Parent Application No. 09/649,981, now US Patent No. 6,879,865

U.S. Patent Apr. 12, 2006 Sheet 1 of 5 US 6,879,465 B1

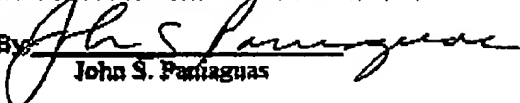


The Applicant would like to point out that the "base station 200" in Fig. 1 of the instant application corresponds to the PC Adapter 24 in the parent application. The Applicant would also like to point out that the only difference between the devices is semantic. Both are coupled to a remote PC and both broadcast to remote playback devices. Thus, it should be clear that the PC Adapter as used in the parent application is a base station in the same sense as the term base station is used in the instant application. Accordingly, it is respectfully submitted that the effective date of the claims at issue are at least as early as the filing date of the parent application (i.e. August 29, 2000). Since the earliest effective date of the Janik reference is arguably Sept. 2000, it is respectfully submitted that the Janik patent can not be a reference within the meaning of 35 USC § 102. Accordingly, the Examiner is respectfully requested to reconsider and withdraw the rejection.

Appl. No.: 09/709,772  
Amend. dated: August 7, 2006  
Reply to Office Action of April 7, 2006

Respectfully submitted.

KATTEN MUCHIN ROSENMAN LLP

By:   
John S. Pantiaguas

Registration No.: 31,051

Date: 8/7/06

KATTEN MUCHIN ROSENMAN LLP  
525 West Monroe Street  
Chicago, Illinois 60661  
Tel: (312) 902-5200  
Fax: (312) 902-1061

Page 7 of 7

CH201\_50167834\_1\_211740\_00000 8/7/2006 10:17 AM